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July 9, 1990

Mr. Richard Remes
Trustee in Bankruptcy for
Brooks Foundry, Inc.
P.O. Box 3127
Kalamazoo, Michigan 49003

US EPA RECORDS CENTER REGION 5



469046

Re: Eagle-Picher Industries, Inc.
Proof of Claim Against Brooks Foundry, Inc., Debtor
Bankruptcy Case No. GK89-01893

Dear Mr. Remes:

Our firm represents Eagle-Picher Industries, Inc., an Ohio corporation ("Eagle-Picher"), in connection with certain proceedings initiated by the United States Environmental Protection Agency ("U.S. EPA") regarding alleged environmental contamination at the Albion-Sheridan Township Landfill (the "Landfill") located in Albion, Michigan. The purpose of this letter is to advise you of Eagle-Picher's claim against Brooks Foundry, Inc. (the "Debtor") for contribution in respect of certain expenditures made by Eagle-Picher pursuant to a unilateral administrative order (the "Order") issued by U.S. EPA with respect to the Landfill. The Order was issued pursuant to Section 106(a) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA").

Eagle-Picher will file a proof of claim against the Debtor for contribution pursuant to CERCLA Section 107 following the completion of certain ongoing removal activities at the Landfill undertaken pursuant to the Order. The amount of Eagle-Picher's contribution claim against the Debtor cannot be

Mr. Richard Remes
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determined at this time because certain of the work required under the Order has not yet been completed.

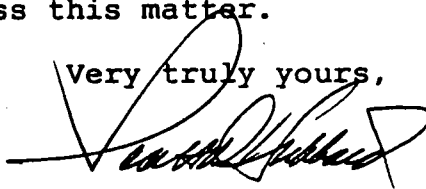
In addition to its contribution claim against the Debtor relative to expenditures incurred pursuant to the Order, Eagle-Picher intends to seek contribution from the Debtor for any further investigations, studies or remedial actions required by U.S. EPA to be taken with respect to the Landfill.

By way of background, the Order was issued on March 19, 1990, to a total of five respondents, including Eagle-Picher and the Debtor. Certain of the respondents to the Order, including Eagle-Picher, agreed to participate in implementing the actions required by the Order. These actions were commenced on June 7, 1990, and have been nearly completed. The total costs to Eagle-Picher in implementing the Order, including contractor charges and U.S. EPA oversight costs, have not yet been determined.

On May 3, 1990, U.S. EPA amended the Order to delete the Debtor as a respondent. This action was improperly motivated by U.S. EPA's desire to preserve the available assets of the Debtor for the remediation of environmental contamination at the Debtor's facility, and was not supported by any evidence regarding Debtor's involvement at the Landfill. Eagle-Picher intends to contest the improper deletion of Debtor as a respondent to the Order.

A formal proof of claim will be filed as soon as Eagle-Picher's costs incurred pursuant to the Order have been determined. In the meantime, please call me if you have any questions or wish to discuss this matter.

Very truly yours,



Scott D. Hubbard

SDH/als

cc: Eagle-Picher Industries, Inc.
Ronald J. Fabian
Mark Van Allsburg, Clerk of the
United States Bankruptcy Court for
the Western District of Michigan
United States Environmental Protection Agency

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U.S. REGIONAL COUNSEL